

LINCOLN PLANNING BOARD

JUNE 25, 2014

APPROVED

The regular meeting of the Planning Board was held on Wednesday, June 25, 2014, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:00 p.m. The following members were present: Kenneth Bostic, John Hunt, Timothy Griffin, Michael Reilly and Jeffrey Delgrande. Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

The following members were absent from this meeting: Gerald Olean and William Murphy. William Murphy and Gerald Olean called in earlier and were excused.

Chairman Bostic advised that five members were present; have quorum.

CONSENT AGENDA

Chairman Bostic reminded members that the consent agenda has

four zoning applications and staff reports. A consent agenda is normally voted on in total unless a member motions to remove an item.

Motion was made by member Griffin to accept the consent agenda as presented was seconded by member Hunt. Motion was approved by all members present.

MAJOR SUBDIVISION REVIEW

a. Dennell Drive Subdivision AP 42 Lot 10 Public Informational Meeting—7:00pm

**Dennell Properties 15 Dennell Drive Master Plan
Discussion/Approval**

Chairman Bostic called the Public Informational Meeting to order at 7:04 pm.

Mr. Ranaldi stated that this application was before the Board for a public informational meeting. This application received a certificate of completeness on April 16, 2014 and the Board has until August 14, 2014 to make a decision. The applicant proposes to divide one lot into 4 lots with 3 new house lots and one existing house lot. Dennell Drive will be extended to approximately 860' with a cul-de-sac at the end. The project meets the subdivision regulations at master plan stage and the zoning regulations. Barring any unforeseen concerns

brought out by the public, the TRC recommends master plan approval with conditions. The six conditions are listed in the TRC report.

John Shekarchi, attorney for the applicant, made a presentation to the Board. Mr. Shekarchi stated that the applicant is happy to conform to the TRC recommendations and conditions. Mr. Shekarchi introduced the engineer of the project to the Board.

Richard Bzdyra, engineer for the applicant, made a presentation to the Board. Mr. Bzdyra stated that the property contains approximately 19 acres at the end of the existing Dennell Drive. The existing roadway will be extended approximately 400' with relocating the cul-de-sac to the end. The road, drainage system and utilities will all be constructed to Town standards. The applicant has met with the Town water and sewer authorities for the design. The drainage system will need to be reviewed by RIDEM prior to preliminary plan stage. The plan calls for four lots total. An existing home sits on lot 1 and three new homes would be constructed. Member Delgrande asked if a yearly maintenance contract has to be submitted to the Town for the proposed force main.

Roll call of the abutter's list was read by the recording secretary. There were two responses to the reading of the abutter's list. Chairman Bostic called for any other abutter in the audience whose name was not read to be recognized. No responses were given.

Chairman Bostic opened up the meeting to comments from the public.

Lorenzo Iadaluca of 17 Dennell Drive had questions about the state of the house that is partially constructed on this site. This house has been sitting for a long time and is an eyesore in the state that it is in. Chairman Bostic suggested that Mr. Iadaluca contact the Town to address the overgrown grass and debris. Mr. Iadaluca wanted to know if this house will be finished prior to the start of this new project. Attorney Shekarchi explained that because of the history of this project and former owners, the main driving force to do the subdivision is to get the finances to finish this house. It is the intent of the applicant to finish this existing house and find a buyer for it. The applicant also agrees to maintain the property in the interim. Mr. Iadaluca continued to express concern that if financial difficulties are stopping the completion of the existing home then how a subdivision is going to be financed.

Candice Disarro of 8 Dennell Drive stated that this unfinished house has been there for 13 years. The house is unattractive and does not meet the standards of this neighborhood in the state that it is in. The property is also not being maintained to neighborhood standards. Ms. Disarro feels that the house should be completed before allowing the applicant to build three other houses. Member Reilly explained that this Board does not have the power to force the applicant to finish the existing house before building any other houses. Ms.

Disarro still feels the question should be answered if the existing house will be completed first.

Town Solicitor Anthony DeSisto needed to make a clarification to the Board. Mr. DeSisto stated that this Board has no power over a minimum housing action. However, the condition of that property can be tied to any approvals this Board may or may not give on this project. This Board can condition any approvals that are given for this subdivision as to what is going to happen on the existing lot and how it is to be cleaned up going forward. Chairman Bostic asked if a time frame could be included in any conditions. Mr. DeSisto replied he could include the proper language for that request.

Mr. Iadaluca asked if the Board could include that kind of language in their decision to help get this property cleaned up. Chairman Bostic stated that the Board would do its best to alleviate the abutters' concerns. Mr. Iadaluca also expressed a concern about the style of houses that would be built here and if they would conform to the existing neighborhood.

Ms. Disarro still wanted an answer as to whether the existing home will be finished before any new houses are started. Chairman Bostic explained that the Board could make him clean up that house as part of the approvals but not necessarily finish it first. Attorney Shekarchi stated that regardless of the conditions of the Board, the applicant will stipulate for the record that a better effort will be made to make

the existing home more visually pleasing for the neighbors.

Harry Zervas, applicant and developer, was asked to make some comments on this project. Mr. Zervas stated that he would make a better effort to maintain the property in an aesthetically pleasing nature during this process. Mr. Zervas acquired the property in 2009. The fencing around the property was installed at that time to appease the neighbors and stop vandals. The house does presently have a building permit to continue construction on it. The structure is weather tight and the interior is at the rough frame stage of construction. A landscaper has been employed to come out and cut the brush. The landscaper comes out once a month minimum. The plan is to get this subdivision in order to acquire loans against the new lots to finish the existing house. The new homes will be at least 4,000 square feet and conform to the styles of the neighborhood. Mr. Zervas promised to do a general cleanup of the property within a few days.

Gregory Mercurio, former member of this Board, made some comments to the Board. Mr. Mercurio stated that his comments are from his personal knowledge of this property and his tenure as a planning board member. Mr. Zervas inherited the issues on this property that are going to be mentioned. Mr. Mercurio stated that unknown to him some materials such as ledge blasting and stumps taken from his property were dumped on this property to fill wetlands to the left of Dennell Drive. This is the location where the three new

homes are proposed to be located. A former Town Engineer had suggested that core samples be taken on this property before development to prove it was not filled wetland property. Mr. Mercurio believes that the fire department was concerned on developing this property because of insufficient water supply. He believes a development on this property would require a new water line be installed. The sewer line in that area was pitched improperly and would need a pumping station to make it work properly. Mr. Mercurio is concerned that developing this property will cause many issues for the neighborhood because of the above mentioned problems.

Motion made by member Delgrande to close the public informational meeting at 7:51 pm was seconded by member Griffin. Motion was approved by all members present.

Richard Bzdyra, engineer for the applicant, responded to some of the comments. Mr. Bzdyra stated that the wetlands have already been verified by RIDEM per this applicant's request. RIDEM did not notify the applicant of any past issues or fill on this property from their records. The Lincoln Water Commission has reviewed the current plan and the only request was to add a fire hydrant at the end of the extended line to be used for a cleanout. The applicant was going to do core samples in the area of the road placement to check for suitable materials. Core samples will be done where the intended placement of the three new homes are also.

Motion made by member Hunt to approve master plan with conditions listed in the TRC report and further added to tonight which will be put in writing by the Administrative Officer and included in the decision. Motion was seconded by member Reilly. Motion was approved by all members present.

**b. Sables Road Subdivision-Phase 2 AP 44 Lot 33 Preliminary Plan
Leslie W. Sables Lantern & East Modification
Lantern Roads Discussion/Approval**

Mr. Ranaldi stated that this application is for a preliminary plan modification. The Board has been provided with the conditions that were approved during both phases of this project. The TRC reviewed the conversation of last month in regards to this modification. The TRC is still recommending an approval of the modification for individual grinder pumps. The Director of Public Works is very concerned that a private pump station has a greater possibility of turning into a public pump station in the future. The Town is trying to avoid taking on any more sewer pump stations. The Town currently has 34 pump stations and they are maintenance problems for the Town. Therefore, the TRC recommended that the applicant be allowed to have individual private grinder pumps with backup generators as proposed. A condition of approval would be that the homeowners association would have to submit to the Town their annual maintenance contract for the sewer lines.

Leslie Quish, Town Engineer, had some comments for the Board. Ms. Quish stated that she has had many conversations with the Public Works Director on this issue. They both feel that this modification plan is in the best long term interest of the Town. By having the individual grinder pumps at the houses, there is no chance of the Town taking ownership of them. The only other item is the force main which is located on private property and privately owned. Maintenance on force mains is typically very minimal. Therefore, the Town Engineer and the Public Works Director recommend approving this modification for privately owned grinder pumps verses the previously approved pump station. Chairman Bostic had concerns that this modification goes against the Town comprehensive plan, sewer ordinance and subdivision regulations. Joelle Sylvia, attorney for the applicant, explained that some of the concerns of the Chairman have already been approved. The applicant is just looking for a modification to that. Ms. Quish explained that difference of what was approved at preliminary plan and what is being proposed as a modification to the sewer for this development. After much discussion Chairman Bostic still feels the original design at preliminary plan should stay in place. Ms. Sylvia stated that this modification is a more feasible and modern design and therefore does not go against the Town regulations.

Ms. Sylvia spoke to the Board about the modification to the water system for this project. Ms. Sylvia stated that the applicant had conversations with the Lincoln Water Commission and found some

regulations that were unknown at the preliminary plan stage that did not allow the proposed sub-metering system. The applicant had to scrap the private water system design and come up with this modified design. The modified design is for public water on phase 1 and private wells on phase 2. The Lincoln Water Commission is in agreement with this new design. Member Hunt wanted to make a comment on the modified sewer system stating that he is familiar with the grinder pump design in another town and it works well. A member of the public is in the audience that has a grinder pump and the Chairman would like to hear their opinion on this design. Ms. Sylvia stated that she is concerned with testimony of the public since this is not a public hearing. Solicitor DeSisto explained to the Board that this is not a public hearing but it is a fact finding hearing; therefore, you can listen to the testimony of this witness but you cannot consider it as expert testimony.

Timothy Behan, engineer for the applicant, explained some technical concerns of the Board. Mr. Behan stated that the proposed force mains are outside of the street Town owned right of way. The main will be sized appropriately for the amount of flow and will be deep enough to be below the frost line. The main will be in an easement near the street right of way but in the front yards of private property. Generally there is not a lot of maintenance to the force main itself; however, a company will be retained for maintenance and any issues that may arise. Member Delgrande stated that he is familiar with these systems and they are very reliable. Mr. Behan stated that over

the long run, a pumping station requires more maintenance and cost for the homeowner. Chairman Bostic questioned whether the Board could hear from the resident in attendance who has a pump in his home.

James Isabella of 5 Whipple Road made a presentation to the Board at the request of the Chairman. Mr. Isabella stated that he has a pump at his home but does not know the name of it. The Chairman stopped by when Mr. Isabella was out in his yard to ask him about the pump. Mr. Isabella stated that he has had three problems with it within 18 years. The first problem was a nail got caught in the pump and stopped it. Approximately 5 years ago the motor stopped running on it and the sediment backed up into the house. The damage was not covered by insurance. Mr. Isabella does not have a generator and the last hurricane the family had to go elsewhere to shower.

Chairman Bostic wanted clarification on the other part of this modification request which is the water. Chairman Bostic wanted to know why the 8 lots along East Lantern Road now proposed to have private wells when public water is supposedly available. Mr. Behan responded that the other houses in that area are already on private wells, so this proposal conforms to the area. There is no public water along East Lantern Road to connect to. Chairman Bostic stated that the letter from Lincoln Water Commission for this project implies that public water is available for the 8 lots along East Lantern Road. Mr.

Ranaldi stated that the letter had a typographic error in it and it meant to say the 10 lots off of Angell Road. Solicitor DeSisto reminded that Board that a vote to modify requires at least 4 members in approval not the usual 3 member majority.

Motion made by member Hunt to approve the preliminary plan modification for sewage and water in the plan presented was seconded by member Delgrande. Members Hunt, Delgrande, Reilly and Griffin voted in favor. Chairman Bostic voted against the motion; therefore, the motion passed to approve the preliminary plan modification.

Motion made by member Griffin to adjourn and was seconded at 9:05 pm by member Delgrande. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux

Attached June TRC Report:

On June 17, 2014 at 3:00 PM, the Technical Review Committee met to review the agenda items for the June 25, 2014 meeting of the

Planning Board. In attendance were Al Ranaldi, Leslie Quish, Romeo Mendes (new Lincoln Water Commissioner), Michael Reilly, Michael Gagnon, Russell Hervieux, and Mohammed AlHassan (Summer Engineering Intern) Below are the Committee's recommendations.

Major Subdivision Review

a. Dennell Drive Subdivision AP 42 Lot 10 Public Informational Meeting – 7:00 PM

- Dennell Properties 15 Dennell Drive Master Plan Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into four residential lots. The proposed project is classified as a major subdivision due to the proposed extension of the existing Dennell Drive right-of-way. The project is in front of the Planning Board for a Public Informational meeting at the master plan review stage.

On April 16, 2014, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by August 14, 2014, or within such further time as may be consented to

by the applicant.

The master plan submission included the following:

1. A site plan entitled: Master Plan AP 42 Lot 10, Dennell Drive, prepared for Harry Zervas, dated February 27, 2014, revised June 2, 2014, prepared by Ocean State Planners, Inc.
2. A report entitled: Dennell Drive Subdivision, Four-Lot Major Subdivision Application, Dennell Drive, Lincoln, Rhode Island, Assessor's Plat 42 Lot 10, prepared for: Harry Zervas, by Edward Pimentel, AICP, dated February 12, 2014.
3. A site and road profile plan entitled: Master Plan AP 42 Lot 10, Dennell Drive, prepared for Harry Zervas, dated May 14, 2014, prepared by Ocean State Planners, Inc.
4. A report entitled: Narrative Report, AP 42 Lot 10, Dennell Drive, Major Subdivision, Lincoln, RI, prepared by Ocean State Planners, Inc. dated May 21, 2014

Site Layout

The Technical Review Committee reviewed the project submission. The applicant owns a 19 acre +/- parcel of land on which one residential home is located. The zoning district is RA-40. The applicant is proposing to subdivide this lot into a four lot subdivision with the extension of the existing right-of-way (Dennell Drive). The existing right-of-way will be extended from its existing length of 436 feet to a proposed length of 860 feet. The right-of-way would end in a cul-de-sac. The project submission shows a 5 foot sidewalk proposed for each side of the new right-of-way. All proposed curbing

will be granite per the regulations.

A stormwater drainage area serving the proposed roadway will be located on Lot 3. This stormwater management system shall be designed in accordance with the Land Development and Subdivision Regulations and the December 2010 edition of the Rhode Island Stormwater Design and Installation Standards Manual. A RIPDES permit from the Rhode Island Department of Environmental Management (RIDEM) will be required as a condition of preliminary plan approval. A RIDEM Wetlands Permit or Determination of Applicability will be required as a condition of preliminary plan approval. The Town will not take responsibility for the care and maintenance of this system. Therefore, either a homeowner's association or the property owner of Lot 3 will be required to maintain the stormwater system. Stormwater mitigation for each individual house lot will be reviewed at the building permit review stage.

Zoning Requirements

The proposed subdivision meets the zoning requirements of the RA-40 zoning district. The proposed total length of the 860 foot right-of-way is within the requirements for roadway length in zoning district RA-40 as set out in the Land Development and Subdivision Regulations.

Utilities

Currently, underground public utilities exist within Dennell Drive and are available to the proposed house lots. House lot number 1 has an

existing gravity connection to the public sewer system. The applicant is proposing to extend the public gravity sewer line approximately 250 feet down the new roadway extension. A private force main system is proposed for house lot number 2 and 3. Each house will have an individual grinder pump with a force main collection system located outside of the future Town Right of Way. The force main collection system would collect and convey flow into the extended public gravity sewer line via a new manhole. The town will have no responsibilities for this system.

The TRC and the Town acknowledge that this type of sewer system is not common within the town and that the Planning Board may have some reservations about this system. The Town Engineer and Public Works Director did extensive research on the proposed private sewer system. Based on their research, they feel that the force main and individual grinder pump sewer system is a proven system for the removal of residential sewer waste. The Town does not object to the proposed system as conceptually presented, conditioned upon the following stipulations:

- The Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder pumps.
- Complete engineering of the proposed system must be submitted for review by the Town at the preliminary plan phase of review.
- A private line agreement is required for review and approval by the Town.
- All proposed house lots must be created and recorded at the same time; phasing of individual lots will not be permitted. The deed for

each lot utilizing the force main system must include appropriate reference to the private line easement benefitting lot #3 running along the frontage of lot #2, and that the Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder.

- Notation on the Final Recorded Plan referencing the legal documents associated with the private sewer system.

The Lincoln Water Commission reviewed the proposed extension of the public water system. There are no options to loop the new extension. Therefore, the LWC will not require the system to be looped. LWC acknowledged their position on this project at the TRC meeting.

Based on the project's submission and barring any unforeseen concerns brought out at the Public Informational meeting, the Technical Review Committee feels that the applicant has successfully addressed the comments and concerns of the TRC and the Planning Board at the Master Plan review stage. The Technical Review Committee recommends Master Plan Approval with Conditions. The conditions of approval are as follows:

1. The proposed stormwater management system shall be designed in accordance with the Land Development and Subdivision Regulations and the December 2010 edition of the Rhode Island Stormwater Design and Installation Standards Manual.

2. A RIPDES permit from the Rhode Island Department of Environmental Management (RIDEM) will be required as a condition of preliminary plan approval.

3. A RIDEM Wetlands Permit or Determination of Applicability will be required as a condition of preliminary plan approval.

4. Complete engineering of the proposed force main system must be submitted for review by the Town at the preliminary plan phase of review.

5. A private line agreement is required for review and approval by the Town at the preliminary plan phase of review.

6. All proposed house lots must be created and recorded at the same time; phasing of individual lots will not be permitted. The deed for each lot utilizing the force main system must include appropriate reference to the private line easement benefitting lot #3 running along the frontage of lot #2, and that the Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder.

b. Sables Road Subdivision – Phase 1 & 2 AP 44 Lot 33 Preliminary Plan Modification

- Leslie W. Sables Angell & East Lantern Rd Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential lots. The project is proposed to be constructed in two phases. Phase one represents the development of 9 single-family residential lots and

one new cul-de-sac off of Angell Road. Phase two presents the development of 8 single-family residential lots along East Lantern Road.

Brief Modification Overview

The proposed modification eliminates the gravity sanitary collection system and pumping station and incorporates individual grinder pumps on each house lot with a force main collection system located outside of the future town right-of-way. The force main collection system would collect and convey flow towards Angell Road. Two hundred and thirty feet of force main would be located on private property and outside of the town's right-of-way. The two manholes and 40 feet of gravity sewer main, as proposed in the original system would also remain. Under this scenario, the Town would only own and maintain the two manholes (identified as SMH "A" and SMB "B" on the revised plan) and the 40 feet of gravity sewer main.

The TRC and the Town acknowledge that this type of sewer system is not common within the town and that the Planning Board may have some reservations about this system. The Town Engineer and Public Works Director did extensive research on the proposed private sewer system. Based on their research, they feel that the force main and individual grinder pump sewer system is a proven system for the removal of residential sewer waste. If this proposed modification is approved, the developer and the Town's engineer will proceed to detailed construction plans. The Public Works Department does not object to the proposed modification as conceptually presented,

conditioned upon the following stipulations:

- The Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder pumps.**
- Complete engineering of the proposed system must be submitted to the Town for review.**
- A private line agreement is required for review and approval by the Town.**
- A maintenance agreement is required for review and approval by the Town.**
- A homeowners association is required for review and approval by the Town.**
- All lots within each Phase must be created and recorded at the same time; phasing of individual lots will not be permitted. The deed for each lot must include appropriate reference to the private line agreement, maintenance agreement, and homeowners association.**
- Notation on the Final Recorded Plan referencing the legal documents associated with the private sewer system.**

Modification Update

During the June Planning Board meeting, three concerns were brought out by the Planning Board. The three concerns are, what are the conditions of approval for the original project, what happens is there is a power outage or the pump needs maintenance, and how has the concerns expressed by the Lincoln Water Commission at the last meeting been resolved.

Below is a list of the conditions of Approval for the entire project:

PHASE I APPROVAL – 7/26/06

- 1. No finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.**
- 2. The sewer system will be maintained through a Home Owner's Association (HOA).**
- 3. The HOA agreement must be approved by the Town Solicitor.**
- 4. The developer must also provide a generator for the Rollingwood pump station as agreed to in negotiations with the Department of Public Works.**
- 5. Approval is needed from NBC and the Lincoln Water Commission (LWC).**
- 6. The TRC also recommends that all easements be monumented.**

PHASE II APPROVAL – 11/15/06

- 1. No finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. A note is shown on the plan addressing this issue.**
- 2. The ownership, maintenance and operation of the proposed pumping station will be through a private homeownership association. The association agreement must be approved by the Town solicitor as a condition for approval.**
- 3. The design and specifications for the pump station must be approved by the sewer supervisor and the Public Works Department.**
- 4. The developer must also provide a generator for the Rollingwood pump station, as agreed in discussions May 2006 between the Public**

Works Department, the applicant and his attorney, as a part of mitigating the impact to the existing area collection system.

5. Narragansett Bay Commission approval for sewer discharges.

6. Lincoln Water Commission (LWC) approval for waterline design and maintenance.

7. A sight distance easement to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road.

8. During construction, all construction vehicles and equipment should use the utility easement, a proposed gravel access road that runs parallel to East Lantern Road for access to all site improvements as much as possible.

9. During construction, the developer shall locate an equipment and materials staging area on site. This staging area shall be accessed from the utility easement.

10. During construction, the developer shall assign a field person to communicate on an as-needed daily basis with all the neighbors to keep the road clear, coordinate the schedule of work, and control traffic.

The Planning Board members expressed concerns about what a property owner would do if there is a power outage or if the pump needs maintenance. During the June meeting, the developer offered to supply each system with a backup generator and a system monitor. The developer also agreed to supply the Town with trailer mounted generate for the Rollingwood pump station. If the modification is approved, this offer can become a condition of

approval.

The Lincoln Water Commission brought up a point at the TRC meeting that the public water system has not been approved to date. Since the last meeting, the developer met with the Lincoln Water Commissioner and agreed upon an acceptable public water system. The revised public water system for the Phase 1 portion of this development is to run a public water line within the right-of-way and have each house connect directly to the supply. Each house would be individually metered. The eight house lots proposed in Phase 2 will have private well water. The public easement proposed to be run through the backyard of each house would become a private easement between the homeowners.

The TRC reviewed the advantages and disadvantages of the proposed system and the information discussed at the June Planning Board meeting. The TRC reaffirmed their opinion that the private sewer system consisting of a force main and individual grinder pump sewer system is a proven system for the removal of residential sewer waste. The TRC supports the conditions of approval made by the Director of Public Works and made a recommendation to add one more condition. The Technical Review Committee recommends that the Home Owners Association must supply a copy of their maintenance service contract to the Town on an annual basis. The TRC felt that this requirement will make the HOA discuss the performance of the system on an annual basis.

Zoning Applications (*) – July Zoning Applications

Danny DeJesus, 17 Laurel Lane, Lincoln, RI – Application for Dimensional Variance seeking side and rear setback relief for the construction of a two car garage.

AP 29, Lot 243 Zoned: RL 9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of the application for a dimensional variance seeking side and rear yard setback relief for the construction of a two car garage. According to the application and plans, the proposed project also includes a connecting entrance area and restroom. The overall addition measures 32 feet wide by 26 feet long. The TRC felt that this addition and in particular the proposed garage was rather generous in size and that the applicant can easily reduce the overall size of the addition by approximately 4 feet. This reduction in size would eliminate the need for the side yard dimensional variance. Therefore, the Technical Review Committee feels that the current site plan and application does not represent the least relief necessary, the application does not present a compelling reason for the need for such a large addition, and is not due to the unique characteristics of the subject land.

**Steven & Judith Giuliani, 9 Mills Drive, Johnston, RI – Application for Special Use Permit to add an accessory family dwelling unit to a new home under construction at 8 Winterberry Road, Lincoln, RI
AP 45, Lot 443 Zoned: RA 40**

Members of the Technical Review Committee reviewed the submitted application for a Special Use Permit to construct an accessory family dwelling unit to a new home under construction. The Technical Review Committee recommends Approval of the request for a Special Use Permit. The applicant proposes to integrate the accessory family dwelling unit within the lower level of the proposed house. The Technical Review Committee feels that the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Julie & Steven Motta, 7 Eastward Drive, Lincoln, RI – Application for Dimensional Variance seeking side setback relief for the construction of an addition.

AP 43, Lot 89 Zoned: RS 20

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of the application for a dimensional variance seeking side setback relief for the construction of an addition. According to the application and plans, the proposed

addition will be built in line with the existing house. However, the plan shows that the applicant has significant undeveloped area to the back of the house that would accommodate an addition and not require a variance. The Technical Review Committee feels that the current site plan and application does not represent the least relief necessary, the application does not present a compelling reason for the need for such a large addition, and is not due to the unique characteristics of the subject land.

Bank of America, 101 North Tryon Street, Charlotte, NC – Application for Special Use Permit for additional signage for new ATM installation for property located at 611 Smithfield Avenue, Lincoln, RI.

AP 6, Lot 439 Zoned: BL 05

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application for a Special Use Permit for the addition of 30.9 square feet of new signage. The applicant is proposing to add an additional ATM kiosk and associated elevated landscape island. The proposed signage will be installed onto the new kiosk to match the existing building's signage. The Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning ordinance and is the least relief needed. The TRC feels that granting the Special Use Permit will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Correspondence/Miscellaneous (*)

a. Staff Reports

**b. Angellin, LLC and Archambault AP45 Lot 181, AP44 Lot
10 Administrative
Subdivision**